THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO.21496 of 2004

DATED: 06-10-2007

Between:

K.V.V.Prasada Rao

Petitioner

And

K.Amaleshwari and two others

Respondents.

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION No.21496 of 2004

ORDER:

1 No representation for the petitioner though the case is listed under the caption for dismissal.

2 This petition is filed to quash the F.I.R.No.258 of 2004 of Kukatpalli police station.

3 The apex Court in ***State of Haryana Vs. Ch.Bhajanlal and others***[1] laid down certain principles relating to quashing of F.I.R and held that if the averments in the F.I.R prima facie disclose commission of a cognizable offence, question of quashing it does not arise, and in ***M.Narayanadas Vs. State of Karnataka***[2] the apex Court held that the Court has also no power to inquire whether the allegations in the F.I.R. are likely to be established or not.

4 Here in this case, since the averments in the F.I.R. prima facie disclose the commission of a cognizable offence by the petitioner, I find no ground to quash the F.I.R. and hence the petition is dismissed.

C.Y.Somayajulu, J.

06-10-2007
kvsn

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[1] AIR 1992 (SC) 604
[2] 2003 (11) SCC 251